

2044
JFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/522,834
	Filing Date	03/10/00
	First Named Inventor	Thomas F. CALLAHAN
	Art Unit	2644
	Examiner Name	Ping Lee
Total Number of Pages in This Submission	Attorney Docket Number	01720/UREA-9701-C

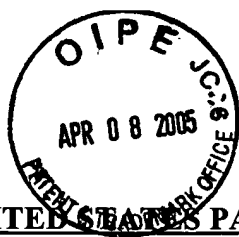
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Enclosure for amendment (photocopy of dictionary definition), Confirmation postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Weins
Signature	<i>Michael J. Weins</i>
Date	4/6/05

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Elaine Stephenson		
Signature	<i>Elaine Stephenson</i>	Date	April 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas F. CALLAHAN
Serial Number: 09/522,834
Filed: 03/10/2000
Attorney Docket No: 01720/UREA-9701-C
Group Art Unit No: 2644
Examiner: Ping Lee

For: NOISE BARRIER APPARATUS HAVING ACOUSTIC WAVE DAMPING
CUSHIONS

Lebanon, New Hampshire
April 6, 2005

Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT

Applicant's representatives have prepared the following amendment in response to the office action mailed 01/25/2005.

Overview of Claims Amendment

This amendment restructures the claims so as to separately claim the two distinct classes of embodiments for the invention, one class for over-the-ear devices and the other for in-the-ear devices. So amending the claims eliminates the need to employ convoluted language to introduce some elements with language which would encompass both classes.

As amended, the claims now form four series. Claims 16, 19, and 20 are directed to a

Serial No. 09/522,834
Filed 03/10/2000
Amendment - Page 2

single noise barrier apparatus of the over-the-ear cup-shaped noise barrier type, while claims 17, 21, and 22 are directed to a single noise barrier apparatus of the in-the-ear type. Claims 23-30 are directed to a noise barrier apparatus having a pair of in-the-ear components, and claims 31-36 are directed to a noise barrier apparatus having a pair of cup-shaped over-the-ear components.